

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

FRED SPEER, et al., on behalf of a class)
of all others similarly situated,)
)
Plaintiffs)
)
v.)
)
CERNER CORPORATION,)
)
)
Defendant)

CASE NO: 4:14-cv-00204-FJG

ORDER

Before the Court are two motions: Plaintiff's Unopposed Motion for Final Settlement Approval and Suggestions in Support (Doc. No. 266) and Plaintiffs' Unopposed Motion for Attorneys' Fees, Costs, and Service Awards With Integrated Suggestions In Support (Doc. No. 263). Having reviewed and considered both motions and all evidence offered in support, the Court finds as follows:

- (1) The terms of the parties' Rule 23 Settlement (Doc. 257-1) are fair, reasonable, and adequate;
- (2) The contents and distribution method of the court-approved Rule 23 Settlement Notice and Claim Form constituted the best notice practicable to the Rule 23 Class Members under the circumstances and satisfied the requirements of Fed. R. Civ. P. 23(c)(2), Fed. R. Civ. P. 23(e)(1), and due process;
- (3) The terms of the parties' FLSA Settlement (Doc. 257-1) are fair and equitable to all parties concerned, the litigation involves a bona fide wage and hour dispute, and the Settlement contains an award of reasonable attorneys' fees;
- (4) The attorneys' fees provided in the Settlement Agreement (Doc. 257-1) are reasonable in light of the work performed and results obtained with the parties' Settlement Agreement;

- (5) Plaintiffs' costs and expenses were reasonably and necessarily incurred in the prosecution of this litigation, and
- (6) Plaintiffs' requested Service Awards are reasonable and justified to compensate for Plaintiff Fred Speer's and Plaintiff Mike McGuirk's efforts, which inured to the common benefit of the Rule 23 Class Members and FLSA Opt-in Plaintiffs.

WHEREFORE, this Court holds as follows:

- (1) Plaintiffs' Unopposed Motion for Final Settlement Approval and Suggestions in Support (Doc. 266) is GRANTED;
- (2) The Settlement Administrator is directed to issue settlement payments to the Rule 23 Claimants and FLSA Opt-in Plaintiffs in accordance with the terms of the Settlement Agreement;
- (3) Plaintiffs' Unopposed Motion for Attorneys' Fees, Costs, and Service Awards With Integrated Suggestions In Support (Doc. 263) is GRANTED;
- (4) Payment of attorneys' fees, costs, and service awards requested in Doc. 263 shall be made in accordance with the terms of the Settlement Agreement (Doc. 257-1);
- (5) This Court retains jurisdiction over this case for purposes of resolving any issues pertaining to settlement administration;
- (6) The Clerk of Court is directed to dismiss this case with prejudice.

IT IS SO ORDERED.

Date: June 11, 2018
Kansas City, Missouri

/FERNANDO J. GAITAN, JR./
Fernando J. Gaitan, Jr.
United States District Judge